IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

MFA.No. 64 of 2000(B)

OP(MV) 212/1996 OF MOTOR ACCIDENT CLAIMS TRIBUNAL, OTTAPALAM
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APPELLANT/PETITIONERS
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1. **RAVUNNI, S/O. RAMAN,**
AGED 73 YRS, EDATHODI VEEDU,
KALLUVAZHI DESOM AND POST,
OTTAPALAM TALUK, PALAKKAD DIST.

2. **LAKSHMI, W/O. RAVUNNI, AGED 53 YRS,**
EDATHODI VEEDU, KALLUVAZHI DESOM
AND POST, OTTAPALAM TALUK, PALAKKAD DIST.

3. **VASANTHAKUMARI, W/O. LATE KRISHNADAS,**
AGED 23 YRS, EDATHODI VEEDU, KALLUVAZHI
DESOM AND POST, OTTAPALAM TALUK,
PALAKKAD DIST.

4. **KRISHNAKUMAR, S/O. LATE KRISHNADAS,**
AGED 3 YRS (MINOR), REP. BY HIS MOTHER AND
GUARDIAN, VASANTHAKUMARI,
THE 3RD PETITIONER HEREIN, AGED 23 YRS,
W/O. LATE KRISHNADAS, EDATHODI VEEDU,
KALLUVAZHI DESOM AND POST,
OTTAPALAM TALUK.

BY ADV. SRI.O.P.NANDAKUMAR
SRI.V.A.AJAI KUMAR

RESPONDENTS/RESPONDENTS 4, 1 AND 3
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1. **MOHAMMED ALI, S/O. PATTANI ABU,**
AGED 28 YRS, PANNIYAMKURUSSI,
CHERPALCHERY VIA, OTTAPALAM TALUK,
PALAKKAD DIST.

MFA NO. 64/2000

2. ABU, S/O. PATTANI IBRAHIM,
AGED ABOUT 48 YRS, H. NO. 6/51,
PANNIYAMKURUSSI,
CHERUPULASSERY, OTTAPALAM TALUK,
PALAKKAD DIST.

3. THE UNITED INDIA INSURANCE CO. LTD.,
PB NO. 192, MAVOOR ROAD,
CALICUT.

R1 BY ADVS. SRI.P.G.PARAMESWARA PANICKER
SRI.SANTHEEP ANKARATH
SRI.MATHEWS JACOB(SR)SC INSURANCE (R3)

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. KOSHY & K. HEMA, JJ.

M.F.A.No. 64 of 2000

Dated this the 18th day of December, 2007.

JUDGMENT

Koshy, J:

A 24 year old youngster while travelling in a goods vehicle met with a fatal accident and died as the driver of the vehicle drove the vehicle in a negligent manner. The vehicle was insured by the 3rd respondent-Insurance Company. The deceased was a manual worker employed in tarring of road. The Tribunal fixed Rs.1500/- as the monthly income as the incident occurred in 1992 taking Rs.75/- per day as the daily income. After deducting 1/3rd , Rs.1000/- was taken as the monthly dependency. Deceased was having only one child. The Tribunal awarded Rs.1,94,500/- with interest and cost. We are of the view that reasonable compensation has been awarded. We find no ground to interfere in the award at the instance of the appellants-claimants.

Appeal is dismissed.

Sd/-

J.B.KOSHY, JUDGE.

Sd/-

K. HEMA, JUDGE

Krs.

J.B. KOSHY & K. HEMA, JJ.

M.F.A.No. 64 of 2000

Dated this the 18th day of December, 2007.

JUDGMENT